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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,012	07/24/2001	S. Jeffrey Rosner	10003385-1	4634

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EXAMINER	
QUINONES, ISMAEL C	
ART UNIT	PAPER NUMBER
2686	

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No.	Applicant(s)	
	09/912,012	ROSNER, S. JEFFREY	
	Examiner	Art Unit	
	Ismael Quiñones	2686	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

a) ☐ The period for reply expires _____months from the mailing date of the final rejection.

b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

   (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ they raise the issue of new matter (see Note below);

   (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☐ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: _____.

   Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because: Applicant's Arguments are considered but are not persuasive. In response to Applicant's arguments against 35 U.S.C. § 102(e) rejection of claims 1-4, 6-10, 12-13, 15-17, and 19-20:
Consider claims 1, 15, and 21, Applicant suggests that Cook does not disclose: a remote access node, furthermore a remote access node for creating at least one extended designated area of a designated area for permitting a user of a portable unit to also access the computer infrastructure of an organization when the user is within the at least one designated area.
The Examiner respectfully disagrees with the Applicant's argument because Cook clearly discloses wherein an enterprise or organization includes a plurality of remote access nodes or transceivers permitting access to an individual area within the respective designated area of said transceivers (Wherein the enterprise comprises transceivers or remote access nodes which create respective designated areas such as an enterprise cell for providing coverage within the enterprise designated area, therefore extending the enterprise designated area by the addition of the transceivers belonging to the enterprise; col. 3, line 23 thru col. 4, line 7; Fig. 1, items 121-123 and 125-127).
In addition the Applicant suggests that Cook teaches against providing an extended designated relaying in the fact that if the user leaves the enterprise control of the communication device is transferred back to a public wireless network, and is no longer able to communicate with the user through the wireless network of the enterprise. It is noted and cited in Applicant's specifications that an individual may obtain access from the computer infrastructure of an organization from any location within a designated area of the organization (Page 4, Lines 16-19); it is further specified wherein access is provided when the individual is away form his/her work station or other location, but is still located within a designated area of the organization, wherein the designated area can be a limited area that encompasses, for example, the facilities of an organization the property on which an organization is located or a geographic area around the organization where individuals of the organization may be located (Page 10, lines 3-20), wherein Cook teaches and disclose the same capability and functionality for providing access to the enterprise while located within it as so does Applicant's invention.
Consider claims 2-4, 6-10 and 12-13, Applicant suggests that Cook does not disclose that a voice generation unit is associated with the interface of the transaction manager of the enterprise to permit two-way voice communication.
The Examiner respectfully disagrees with the Applicant's argument because Cook clearly discloses wherein the computer interface provided by the enterprise or organization provides a wireless interface such as transceivers for providing over the air wireless "two-way communications" services such as voice conversations (col. 1, lines 28-33), which is inherently known in the art of wireless communications, furthermore Cook discloses an example of "two-way communications" as the user of a wireless communication device (i.e., a telephone; col. 3, lines 32-33) requests more information to the computer infrastructure or server of the enterprise/organization and according to a position or location criteria the computer infrastructure of the organization transfers information to the wireless communication device (col. 3, line 66 thru col. 4, line 7; col. 5, lines 12-21). In addition Cook discloses wherein the transceivers (Fig. 1, items 121-123) are similar to the conventional base stations in public network (col. 3, lines 47-49) for providing wireless communications (i.e., voice conversations), furthermore the enterprise or organization comprising more than one wireless communication device (Fig. 1, item 102), for enabling communication voice conversation within the enterprise.
In response to Applicant's arguments against 35 U.S.C. § 103(a), obviousness rejection of claims 5, 11 and 18:
In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).
In this case, regarding claim 5, Odenwalder clearly suggest that low data applications such as operate under a low bandwidth under 100 kbits/sec and propose an invention for adaptively providing high data rate communications in terms of bandwidth efficiency (See col. 2, lines 7-67).
Furthermore in this case, regarding claims 11 and 18, Wickstead clearly suggest an invention to provide a wireless telephone that can be comfortably worn (See Paragraph 3).

HAFAEL PEREZ-GUTIERREZ
PATENT EXAMINER
11/15/04